

MINUTES OF
EUREKA CITY COUNCIL
EUREKA REDEVELOPMENT AGENCY

JANUARY 17, 2006

The City Council/Redevelopment Agency of the City of Eureka met in REGULAR Session on the above date, 5:30 p.m. Closed Session, 6:30 p.m. Open Session, at the Eureka City Hall, Council Chambers, 531 "K" Street, Eureka.

PRESIDING: MAYOR LA VALLEE

PRESENT: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES

ABSENT: NONE

MINUTES PREPARED BY:

COUNCIL APPROVAL ACKNOWLEDGED:

Kathleen L. Franco Simmons
City Clerk

Peter La Vallee
Mayor

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Public comment prior to closed session

ACTION:

The following individual addressed the Council at this time regarding closed session item C:
Tony Ghera

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on January 18, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item A

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Closed session

ACTION:

Council met in closed session to discuss the following matters:

B. CONFERENCE WITH LABOR NEGOTIATORS

Agency representatives: Susan Christie for the City of Eureka
Employee organizations: Eureka Police Officers Association (EPOA),
Eureka Firefighters' Local #652 (EFL)
Pursuant to California Government Code Section 54957.6

C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 730 "H" Street
Agency negotiator: David Tyson for City of Eureka
Negotiating parties: College of the Redwoods
Under negotiation: price, terms and conditions
Pursuant to California Government Code Section 54956.8

D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Attorney
Pursuant to California Government Code Section 54957

E. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation: one case.
Pursuant to California Government Code Section 54956.9(b)

Upon reconvening to Open Session, it was announced that there was no action to be reported.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Agenda Item Closed Session

MINUTE ORDER, JANUARY 17, 2006
ITEM: Closed Session
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STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item Closed Session

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Mayor's announcements

ACTION:

Mayor La Vallee presented a proclamation for "National Mentor Month" January 2006.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item M/A

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Council reports

ACTION:

Councilmember Wolford made an announcement regarding the Eureka Heritage Society annual meeting and walking tour, January 21st.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item C/R

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Board/Commission reports

ACTION:

Keep Eureka Beautiful member Marge Creighton and President Michelle McKeegan presented an Award of Merit to Alexis Walker on behalf of Target for its cooperation between the community, business, and the city.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item B/C

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Public hearing - Appeal of Pfanenstiel off-street parking variance for a
"Meeting Hall" at 710 "A" Street (V-05-019).

ACTION:

Community Development Kevin Hamblin provided a report. The public hearing was opened at 7:01 p.m. The following individuals addressed the Council regarding this matter:

Bob Pfanenstiel, appellant, stated that he is working in conjunction with Coastline Church to assist them with the problems they are having with relocating to a building that is appropriate. He stated that he is seeking the variance which would allow Coastline to lease his building, and that the meeting times would be on Sunday, from 8:00 a.m. until noon. He stated that he has nine letters from neighboring merchants that are closed during that time stating that they do not object to the church being in that area or using the street parking. He stated that the merchants don't want anyone parking on their private lots for insurance liability reasons, which he agrees with and has no problem with. He stated that he has assured them that there would be no parking on their private lots by the church members. He stated that during the week, the building would only be used for administrative purposes, for which the off-street parking is sufficient. The timeframe for the lease would be for a one-year period with an option to renew at the end of one year, and it would be open for public review at the end of that year. He stated that all of the council members have visited the property, and that photographs have been submitted which were taken on a Sunday morning during the timeframe the property would be used. He stated that there are 40-48 parking spaces that would be available, while the number of cars that show up at the meetings is approximately twenty-five. There are eleven off-street parking spaces in the lot, so the remainder would park on the street. He stated that he didn't think it would create a traffic problem on Seventh Street between 8:00 a.m. and noon on Sundays.

Fritz Graff, Associate Pastor-Coastline Church, expressed appreciation to each of the council members for taking time to come to the site, and provided answers to further questions of the council. He stated that during the week, they would only have small group Bible-study type classes where typically from eight to as many as fifteen people would attend, and that those would be after business hours, after 6:00 p.m. He stated that the main on-street parking requirements would only occur during those hours on Sunday. He stated that the costs of parking and traffic studies would have to be known. He stated that they would be agreeable to a condition to permit it for one year, with a review after the year to see how it has worked as to impacts to the neighborhood. He stated that the church needs to imminently relocate from the Wharfinger for the city to use that facility, and that the months of the CEQA preparation will present difficulty.

MINUTE ORDER, JANUARY 17, 2006

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Scott Thomason, Eureka, stated that he and his wife have attended Coastline Church for the past two years in the Wharfinger building and that he believes they are being noticed month by month as to when the city intends to move there. He stated that the church is small; many members live in the downtown area and walk there; and come from all walks of life. He expressed his appreciation for the idea of doing the lease for a year and seeing how it goes. He stated that currently the small groups are all at homes, not at a church facility, and that if they were, they would be on different nights of the week. He thanked the council for their consideration and requested the waiver to be granted and to do the CEQA. He stated that if the church needs to come up with \$1000 to pay for a study, they will cover it.

Don Davenport, Eureka, speaking on behalf of Mr. Arnold Diaz and his wife, of Huntington Beach stated that they weren't noticed on this appeal, and that he just happened to be at this meeting by accident or he wouldn't have known about this. He stated that he testified at the Planning Commission meeting for Mr. and Mrs. Diaz who purchased the neighboring four-plex from his company ten or twelve years ago, and that his company has taken care of it for them since. He stated that there has been a terrible problem in that neighborhood over the past two years with drugs and alcohol, car break-ins, and unauthorized use of garbage bins. He stated that they didn't protest the church, but that it was their understanding this was going to be a temporary use of this building for a period of one year. He stated that they would like a clarification on that. He stated that they have no problem with them meeting on Sunday, that there is ample parking on Sundays, but that the nightly meetings throughout the week pose a problem. He stated that another problem is that churches tend to have funerals, weddings, and other things. He stated that another thing they are concerned about is that a lot of the churches hold AA and NA meetings. He stated that they would like to help them, but that some of these questions need to be clarified, and some strong restrictions placed on it. He stated that Mr. Diaz has a problem with the weekly night meetings because of his tenants, and believes that it should be used only on the weekends. He stated that he also has a problem with it being rented out to any other type of facility in the future.

Moss Bittner, stated that it was a shame a church might not be able to meet because of their cars. He stated that he lived in that neighborhood up to a couple of months ago, and moved because his own car was getting vandalized. He stated that he didn't think that the influence of church-goers would be a negative thing for that neighborhood, and possibly a good thing for everyone involved, because the more people who circulate through an area, the more goodwill springs up. He stated that it might be possible that this small group would be willing to car-pool or otherwise try to work with the community. He stated that he sees every sign from them that they do want to work with the community. He stated that young churches grow and later find permanent locations, and that there are presently other church buildings that are for sell. He stated that to impede the free and peaceable assembly of people and free expression and practice of religion because of bureaucratic rules doesn't seem right. He suggested consideration be given when there is a landlord who has concerns, to consider whether they live in the area.

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Paul Hewitt, Eureka, stated that he is in the leadership with New Hope Fellowship Four Square Church. He stated that he has also been the on-site counsel at Jefferson Elementary for the last eight years, which is closing down, and that there has been a lot of concern about West Eureka and the negative impacts of crime and drugs. He stated that the church, whether it be Christian, Jewish, or Muslim, has always been proven to be a stabilizing factor in communities. He stated that consideration needs to be given to that when we look at the church coming into West Eureka. He stated that we need more stabilizing factors, not less.

The public hearing was closed at approximately 7:20 p.m.

Council directed staff to prepare the CEQA document to bring back so that a variance can be granted with regard to waiver of off-street parking requirements for a "Meeting Hall" at 710 "A" Street.

Adopted on motion by Councilmember KERRIGAN, seconded by Councilmember BASS-JACKSON, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on January 18, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Public comment period

ACTION:

The following individuals addressed the council at this time:

Larry Evans, Eureka, representing EPIC, spoke regarding the Waterfront Drive project with regard to comments by the city manager and the coastal commission on the appropriateness of the project. He requested the project be dropped.

Lisa Ollivier, Eureka, spoke regarding the closure of Jefferson School and the impacts it will have on the neighborhood.

Moss Bittner, spoke regarding the closure of Jefferson School and the need for more community discussion. He also spoke regarding items involving real estate on agendas and listing redevelopment items separately.

Kaye Strickland, spoke regarding the closure of Jefferson School.

Melvin McKenney, spoke regarding an Audubon Society letter about Palco Marsh, and requested the subject matter be put it on an agenda to be resolved.

Richard Tollison, spoke regarding the closure of Jefferson School in relation to Prop 13.

Dave Berriman, Arcata, spoke regarding locomotive and railcars relating to Waterfront Drive and filling wetlands.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Agenda Item 2

MINUTE ORDER, JANUARY 17, 2006
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STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item 2

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Council meeting minutes.

ACTION:

Council approved the regular Council/Agency meeting minutes of January 3, 2006 as submitted.

Adopted on motion by Councilmember JONES, seconded by Councilmember WOLFORD, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. City Clerk

Agenda Item 3

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Request for exception to the hiring freeze – Accounting Specialist I/II
(regular, part-time) position.

ACTION:

Council approved the exception to the hiring freeze for an Accounting Specialist I/II
(regular, part-time) position, which is included in the FY 05/06 budget.

Adopted on motion by Councilmember JONES, seconded by Councilmember WOLFORD,
and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item 4

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Mayor's appointments to boards and commissions.

ACTION:

Council appointed members to the following boards:

| <u>Board/Commission:</u> | <u>Appointment:</u> | <u>Term expiration:</u> |
|--------------------------|------------------------------|-------------------------|
| Art & Culture Commission | Re-appt Susan Bloch-Welliver | 01/01/2010 |
| Open Space, Parks & Rec | Re-appt Don Macleod | 01/01/2010 |
| Parking Place Commission | Re-appt Travis Schneider | 01/01/2010 |

Adopted on motion by Councilmember JONES, seconded by Councilmember WOLFORD, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on January 18, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Mayor

Agenda Item 5

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Wildland firefighter training shelter purchase.

ACTION:

Council approved expenditure of not more than \$6,000 for the purchase of Wild land Firefighter training shelters and related training videos/training materials; and directed EFD to submit for reimbursement for the training shelters and related training materials from the Humboldt County Fire Chief's Title III Firefighters Training Support Grant upon their arrival.

Adopted on motion by Councilmember JONES, seconded by Councilmember WOLFORD, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on January 18, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Fire Chief

Agenda Item 6

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Destruction of records.

ACTION:

Council approved Resolution No. 2006-03 requesting destruction of records pursuant to City policy.

Adopted on motion by Councilmember JONES, seconded by Councilmember WOLFORD, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Police Chief

Agenda Item 7

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Second quarter FY 05/06 Investment Report for the City of Eureka and the Eureka Redevelopment Agency.

ACTION:

Council received and filed the Quarterly Investment Report from October through December 2005 for the City of Eureka and the Eureka Redevelopment Agency.

Adopted on motion by Councilmember JONES, seconded by Councilmember WOLFORD, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Finance Director

Agenda Item 8

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Memorandum of Understanding: Eureka Firefighters Local #652 (EFL);
contract amendment.

ACTION:

Council adopted Resolution No. 2006-04 authorizing the Mayor to execute and amendment to the current Memorandum of Understanding (MOU) between the City of Eureka and the Eureka Firefighters Local #652 (EFL) regarding salaries and supplemental benefits.

Adopted on motion by Councilmember JONES, seconded by Councilmember WOLFORD, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Personnel Director

Agenda Item 9

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Resolution terminating local emergency.

ACTION:

Council adopted Resolution No. 2006-05 terminating the local emergency.

Adopted on motion by Councilmember JONES, seconded by Councilmember WOLFORD,
and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. City Manager

Agenda Item 10

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Bill No. 762-C.S., an ordinance pertaining to City boards and commissions.

ACTION:

Special Projects Manager Gary Bird provided a report. No individuals expressed an interest in addressing the council regarding this subject matter.

Council adopted, waived reading, and read by title only, Bill No. 762-C.S., Ordinance No. 704-C.S.; an ordinance pertaining to City boards and commissions adding Sections 33.027 and 33.117 to Chapter 33 (Title 3) of the Eureka Municipal Code; and amending Section 33.115 of Chapter 33; and repealing Sections 33.130 and 33.131 of Chapter 33 and Section 100.02 of Chapter 100 (Title 9), with the addition of a designated zoo representative as a member of Open Space Parks and Recreation Commission.

Adopted on motion by Councilmember KERRIGAN, seconded by Councilmember LEONARD, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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KATHLEEN L. FRANCO SIMMONS
CITY CLERK

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Bill No. 764-C.S.; Storm water quality management and discharge control ordinance.

ACTION:

Public Works Director/Building Official Mike Knight provided a report. No individuals expressed an interest in addressing the council regarding this subject matter.

Council adopted, waived reading, and read by title only, Bill No. 764-C.S., Ordinance No. 705-C.S.; an ordinance amending Title V, and adding Chapter 54, pertaining to storm water quality management and discharge control.

Adopted on motion by Councilmember LEONARD, seconded by Councilmember BASS-JACKSON, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the City of Eureka on January 18, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Public Works Director/Building Official

Agenda Item 12

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Bill No. 755-C.S.; an ordinance amending Eureka Municipal Code Sections 130.10 and 130.11 pertaining to property requiring a disproportionate level of police services.

ACTION:

Police Chief provided a report. The following individuals addressed the council regarding this subject matter:

Kelly Walsh - Matthews, Kluck and Walsh
Sue Brandenburg
Ann White, historic Eureka
Ben Fewell, Eureka
Nathan Bomba, Eureka
Moss Bittner
Lisa Ollivier
Don Davenport

Council introduced, waived reading, and read by title only, Bill No. 755-C.S., an ordinance amending Sections 130.10 and 130.11 of the Eureka Municipal Code pertaining to property requiring a disproportionate level of police services.

Adopted on motion by Councilmember LEONARD, seconded by Councilmember KERRIGAN, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

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STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the City of Eureka on January 18, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Police Chief

Agenda Item 13

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Fireside Motel property, 1716 & 1722 5th Street, APN: 002-075-009.

ACTION:

Redevelopment Director Cindy Trobitz-Thomas provided a report. The following individuals addressed the council regarding this subject matter:

Larry Kluck - Matthews, Kluck and Walsh, representing the Don Frisbe estate

David Elsebush, McKinleyville

Moss Bittner

Sue Brandenburg

Ann White, historic Eureka

Don Davenport

Ben Fewell, Eureka

Richard Tollison

Andrew Frazier, Eureka

A motion by Councilmember KERRIGAN, seconded by Councilmember WOLFORD, failed by the following vote to authorize the transfer city-owned surplus property located at 1716 & 1722 5th Street (known as the "Fireside Property"), APN: 002-075-009, from the City of Eureka to the Eureka Redevelopment Agency, with consideration being given to the disposition of the palm trees; record a debt between the City and the Agency in the amount of \$371,000 which is the original purchase price from the State Department of Transportation (Caltrans) and includes the remaining structures; and authorize the City Manager to execute the transfer documents, including repayment to the Vietnam Veterans of California, Inc. (VVC) in the amount of \$256,235.19 which reflects the VVC participation in the original purchase less a one-half share of cost for Attorney's fees paid by the City:

AYES: WOLFORD, KERRIGAN

NOES: NONE BASS-JACKSON, LEONARD, JONES

ABSENT: NONE

ABSTAIN: NONE

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Council took action to offer for sale city-owned real property located at 1716 & 1722 5th Street (known as the "Fireside Property"), APN: 002-075-009, to the highest bidder with a minimum bid of \$371,000, with consideration being given to the disposition of the palm trees; and authorized the City Manager to execute all related documents, including repayment to the Vietnam Veterans of California, Inc. (VVC) at escrow closing, in the amount of \$256,235.19 which reflects the VVC participation in the original purchase less a one-half share cost for Attorney's fees paid by the City.

Adopted on motion by Councilmember BASS-JACKSON, seconded by Councilmember JONES, and the following vote:

AYES: BASS-JACKSON, LEONARD, JONES
NOES: WOLFORD
ABSENT: NONE
ABSTAIN: KERRIGAN

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on January 18, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Redevelopment Director

Agenda Item 14

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Utility Users Tax.

ACTION:

Finance Director Carolynn Thomas provided a report regarding the Finance Advisory Committee recommendations regarding proposed changes to the Utility Users Tax. The following individual addressed the council regarding this subject matter:

David Elsebush, McKinleyville

On recommendation by Councilmember WOLFORD, seconded by Councilmember LEONARD, Council approved without objection, to accept the offer of Councilmembers Kerrigan and Bass-Jackson to meet as a sub-committee to present the Finance Advisory Committee recommendations to various community groups for feedback, to continue the discussion in segments over the next few meetings, and to hold a townhall forum with the Finance Advisory Committee to present their perspectives.

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the City of Eureka on January 18, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Finance Director

Agenda Item 15

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: 5-minute break.

ACTION:

On motion by Councilmember KERRIGAN, seconded by Councilmember JONES, and without objection, the council elected to take a 5-minute break.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on January 18, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: West Side White Paper Committee report – slumlord action items.

ACTION:

Special Projects Manager Gary Bird and Councilmember Wolford provided a report. The following individual addressed the council regarding this subject matter:
Melanie Kuhnel

Council took action to receive the West Side report from the Slumlords Committee, to adopt the recommended action items and timeline, attached and made a part hereof, to receive an update in approximately 45 days, and to direct staff to provide confirmation that the fine structure was looked at to make sure that it meets current needs.

Adopted on motion by Councilmember LEONARD, seconded by Councilmember WOLFORD, and the following vote:

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the City of Eureka on January 18, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item 16

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Extension of meeting curfew

ACTION:

On motion by Councilmember BASS-JACKSON, seconded by Councilmember LEONARD, and the following vote, Council elected to extend the meeting beyond the 10:00 p.m. curfew to hear the remaining agenda matter.

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the City of Eureka on January 18, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: County of Humboldt "Balloon Track" letter.

ACTION:

City Manager provided a report. The following individuals addressed the council regarding this subject matter:

Mike Buettner, Eureka

Ellen Bryant, Eureka

Larry Evans, Eureka

Thomas Stewart, Eureka

Mark Lovelace, Arcata, speaking on behalf of Healthy Humboldt Coalition

David Elsebush

Melvin McKinney, Cutten

Moss Bittner

Maggie Herbelin, Myrtle town

Tawnya Marseille, Eureka

Kaye Strickland, Eureka

Marion Amber, Eureka

Richard Tollison

Brian Morrissey, representing Security National Properties

Melanie Kuhnel

David Berriman, Arcata

Nathan Bomba, Eureka

George Clark, business-owner in Eureka

Randy Ganns, Security National Properties

Ron Kuhnel, Eureka

Ann White, historic Eureka

On motion by Councilmember KERRIGAN, seconded by Councilmember LEONARD, and the following vote, Council took action to postpone making a decision regarding the County of Humboldt's letter of support towards the planning and development of the Balloon Track until all of the appropriate information is available:

AYES: WOLFORD, LEONARD, KERRIGAN

NOES: BASS-JACKSON, JONES

ABSENT: NONE

ABSTAIN: NONE

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STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the City of Eureka on January 18, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item 17

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of January 17, 2006.

SUBJECT: Adjournment

ACTION:

Without objection, Council directed staff to schedule the next regular meeting to begin closed session at 5:00 p.m. to spend from 5:00 to 5:30 p.m. on the evaluation, and then go from 5:30 to 6:30 with regular closed session.

There being no further business to come before the Council, the meeting was adjourned at 11:20 p.m.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the City of Eureka on January 18, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK